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Attorneys for Plaintiff
NINTENDO OF AMERICA INC.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

NINTENDO OF AMERICA INC., a
Washington corporation,

Plaintiff,

vs.

SERGIO MOJARRO MORENO a/k/a
SERGIO MOJARRO a/k/a MIKEL
EUSKALDUNAK and DOES 1-10,

Defendants.

Case No.: 8:18-cv-02196-JLS-ADS

**NOTICE OF POTENTIAL
SETTLEMENT AND
STIPULATION TO EXTEND
DEADLINES**

Pursuant to Local Rule 7-1, Plaintiff Nintendo of America Inc. (“Nintendo”) and Defendant Sergio Mojarro Moreno a/k/a Sergio Mojarro a/k/a Mikel Euskaldunak (“Defendant”), by and through their respective counsel, hereby stipulate and jointly request that this Court issue an Order for a 30-day extension of all currently scheduled court deadlines, as listed in the scheduling order entered by the Court on April 17, 2019 (Doc. No. 31), in light of a potential settlement between the parties that is currently being finalized and memorialized in writing to the satisfaction of both parties.

WHEREAS, on December 11, 2018, Nintendo filed Case No. 8:18-cv-02196 JLS (ADSx) against Defendant and Does 1-100 (Doc. No. 1);

1 WHEREAS, on December 19, 2018, Nintendo filed a First Amended
2 Complaint against Defendant and Does 1-10 (Doc. No. 14);

3 WHEREAS, on February 22, 2019, Defendant submitted his Answer to the
4 First Amended Complaint to the Court, and the Answer was entered on February
5 25, 2019 (Doc. No. 27);

6 WHEREAS, after submitting a Joint Rule 26(f) Report to the Court on
7 April 5, 2019 (Doc. No. 30), the Court, on April 17, 2019, vacated the Scheduling
8 Conference set for hearing on April 19, 2019 and issued a Scheduling Order (Doc.
9 No. 31);

10 WHEREAS, the parties have reached an agreement in principle regarding
11 the issues raised in this lawsuit and are endeavoring to memorialize the settlement
12 in writing as expeditiously as possible (Parker Decl. ¶ 5);

13 WHEREAS, the parties believe that this 30-day extension of all scheduled
14 dates in this matter will facilitate settlement discussions;

15 WHEREAS, the parties agree that this approach is in the best interests of
16 judicial economy and the efficient preservation of resources.

17 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the
18 parties hereto through their respective attorneys of record, that the Court enter an
19 Order extending all currently scheduled deadlines in this matter 30 days, as shown
20 below, in light of the potential settlement agreement between the parties that is
21 currently being finalized and memorialized in writing as expeditiously as possible.

22 However, if the Court is not inclined to grant this joint stipulation, the
23 parties request a short teleconference with The Honorable Josephine L. Staton to
24 discuss the matter.

MATTER	CURRENT DATES	PROPOSED DATES
Fact Discovery Cut-Off	September 13, 2019	October 15, 2019
Last Day to Serve Initial	September 27, 2019	October 28, 2019

1	Expert Reports		
2	Last Day to File Motions	September 27, 2019	October 28, 2019
3	(except <i>Daubert</i> and all other		
4	Motions in Limine)		
5	Last Day to Serve Rebuttal	October 25, 2019	November 25, 2019
6	Expert Reports		
7	Last Day to Conduct	November 15, 2019	December 16, 2019
8	Settlement Proceedings		
9	Expert Discovery Cutoff	November 22, 2019	December 23, 2019
10	Last Day to File <i>Daubert</i>	November 29, 2019	December 30, 2019
11	Motions		
12	Last Day to File Motions in	December 20, 2019	January 21, 2019
13	Limine (other than <i>Daubert</i>		
14	Motions)		
15	Final Pre-Trial Conference	January 17, 2020	February 18, 2020

16

17 **IT IS SO STIPULATED.**

18 DATED: September 10, 2019

HAYNES AND BOONE, LLP

19

20 By: /s/ Kenneth G. Parker

21 Kenneth G. Parker

22 Diana C. Obradovich

23 Attorneys for Plaintiff

NINTENDO OF AMERICA INC.

24 DATED: September 10, 2019

SHEPPARD MULLIN

25

26 By: /s/ Aaron Malo

27 Aaron Malo

28 Attorneys for Defendant

SERGIO MOJARRO MORENO a/k/a

SERGIO MOJARRO a/k/a MIKEL

EUSKALDUNAK